Around the Nation

Ellsberg Worker Talked to Jurors

Post 11/6/73

LOS ANGELES—The Pentagon Papers case hit a new snag yesterday when the defense admitted one of its volunteer workers had discussed the case with three prospective jurors.

Government prosecutors pressed the issue, telling U.S. District Court Judge Matt Byrne there was "prima facie evidence of jury tampering."

The disclosure to Byrne was made by Leonard Boudin, chief counsel for Daniel Ellsberg. Boudin said he had learned that a young women volunteer, who he did not name, had spoken with three prospective jurors in the courthouse cafeteria Thursdy.

Boudin said the young woman had asked the trio how they felt about the case. Boudin said defense lawyers had told the volunteer she could no longer work on the case and had advised her to get herself an attorney.

The issue disrupted the slow process of picking a jury for the conspiracy-espionage trial of Ellsberg, 41, and Anthony Russo, 36. The defense had submitted 317 questions it wanted asked of jury candidates, and Byrne was asking many of them.

Among the first men and women interrogated, not one of them had any clear knowledge of what the case was all about and only a few had even a vague knowledge of the substance of the Pentagon Papers.